



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

<b>MEETING DATE</b> July 18, 2014 <b>LOCAL EFFECTIVE DATE</b> August 1, 2014 <b>APPROX FINAL EFFECTIVE DATE</b> August 22, 2014	<b>CONTACT/PHONE</b> Megan Martin mamartin@co.slo.ca.us (805)781-4163	<b>APPLICANT</b> Craig and Karen Hoeschen	<b>FILE NO.</b> DRC2013-00088
<b>SUBJECT</b> Hearing to consider a request by <b>CRAIG &amp; KAREN HOESCHEN</b> for a Minor Use Permit/ Coastal Development Permit to allow for the replacement and repair to existing stairs and entryway deck, as well as 203 square feet of additional decking, on an existing single family residence. The proposed project is within the Residential Single Family land use category at 511 Canterbury Lane, approximately 146 feet southeast of Warwick Street, within the community of Cambria, in the North Coast Planning Area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2013-00088 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 1 Categorical Exemption was issued on May 9, 2014 (ED13-230).			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Terrestrial Habitat, Local Coastal Program Area, Archaeologically Sensitive Area, Geologic Study Area	<b>ASSESSOR PARCEL NUMBER</b> 022-083-048	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> North Coast Planning Area – Cambria Urban Area Standards; Monterey Pine Forest Habitat (SRA)(TH), Site Review, Landscaping, Residential Single Family, Deck Size Limitations Does the project meet applicable Planning Area Standards: Yes - see discussion			
<b>LAND USE ORDINANCE STANDARDS:</b> Section 23.04.104 – Exceptions to Setbacks Section 23.07.080 – Geologic Study Area Section 23.07.104 – Archaeologically Sensitive Area Section 23.07.120 – Local Coastal Program Area Section 23.07.176 – Terrestrial Habitat Protection Does the project conform to the Land Use Ordinance Standards: Yes - see discussion			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

EXISTING USES: Single Family Residence	
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family / Single Family Residence East: Residential Single Family / Single Family Residence South: Residential Single Family / Single Family Residence West: Residential Single Family / Single Family Residence	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Building Division, Cambria Community Services District (Water/Sewer/Fire), California Coastal Commission, North Coast Advisory Council	
TOPOGRAPHY: Generally level	VEGETATION: Decorative and ornamental landscaping
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cambria Fire	ACCEPTANCE DATE: May 9, 2014
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242	

## DISCUSSION

### PROJECT HISTORY:

The primary residence on the property was built in 1925. Minor structural improvements have been made to the residence. The lot is 3,500 square feet and defined as a shallow lot in the Cambria Pines No. 1 Tract.

### PROJECT DESCRIPTION:

The proposed project includes repair and replacement of existing stairs and an existing entryway deck located and attached to the front of the residence. In addition, the applicant is proposing to construct a new 203 square foot deck that will connect to the existing entryway deck.

The project site is located within the Monterey pine forest Terrestrial Habitat combining designation as identified in the Cambria Urban Area Standards and Official Maps (Part III) of the Coastal Zone Land Use Ordinance. As set forth in the Public Resources Code Section 30603(a), and the Coastal Zone Land Use Ordinance, development located in a sensitive coastal resource area (e.g. Terrestrial Habitat) is appealable to the California Coastal Commission (Section 23.01.043(c)). Where a project is appealable to the California Coastal Commission, any use normally required by the Coastal Zone Land Use Ordinance to have Plot Plan approval; which a new 203 square foot deck would normally be required to obtain Plot Plan approval, shall instead require Minor Use Permit approval. The proposed project as such, requires Minor Use Permit approval.

## PLANNING AREA STANDARDS:

### **Cambria Urban Area Standards**

Monterey Pine Forest Habitat (SRA)(TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include a "project limit area" to avoid Monterey pine forest impacts to the maximum extent feasible, shall not remove native vegetation outside the "project limit area", identify all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground, and implement construction practices to protect Monterey pines and significant understory vegetation.

*Staff Response: The project is located within the Monterey pine forest habitat combining designation; however, there are no Monterey pines on the property. Development will include replacement and repair to existing stairs and entryway deck as well as 203 square feet of additional decking on an existing single family residence. No native vegetation or significant understory will be impacted within or outside the "project limit area."*

Site Review. Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource shall require a biologic assessment report prepared in accordance with Coastal Zone Land Use Ordinance section 23.07.170.

*Staff Response: Following site review, staff determined that because the project site is developed with decorative and ornamental landscaping, is devoid of sensitive resources, and will not impact native vegetation or Monterey pines, a biologic assessment report is not required.*

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest.

*Staff Response: The area of disturbance includes decorative and ornamental landscaping and includes drought and fire resistant as well as native and drought tolerant vegetation. The project will be required to replace the existing landscaping to the greatest extent feasible. Non-native, invasive, fire prone, and water intensive landscaping shall be prohibited on the entire site.*

### **Residential Single Family**

The following standards apply to all land within the residential single-family land use category.

Deck Size Limitations. Exterior decks shall be located to avoid removal of trees. Solid exterior decks shall be limited to 10 percent of the permitted maximum footprint, while decks of permeable construction (e.g., open wood slats) shall be limited to 30 percent of permitted Maximum Footprint.

*Staff Response: The deck will be connected to an existing front porch and will be approximately 203 square feet. The proposed deck is located to avoid removal of trees. The deck will be*

*made of permeable construction (e.g., open wood slats) and will not exceed 30 percent of the permitted maximum footprint.*

#### LAND USE ORDINANCE STANDARDS:

##### Section 23.04.108 – Front Setbacks

Residential uses. All residential uses are to have a minimum front setback of 25 feet, except as follows: Shallow lots. The front setback is to be a minimum of 20 feet for any legally-created lot with an average depth less than 90 feet.

*Staff Response: The lot is a legally-created lot and has an average depth of 70 feet; therefore, it qualifies for a reduced front setback requirement of 20 feet. The proposed 203 square foot deck and replacement and repair of stairs do not project into the front setback requirement and are set back from the front property line a minimum of 20 feet.*

##### Section 23.07.080 – Geologic Study Area (GSA)

The proposed project is within the GSA combining designation as defined and applied by the Official Maps (Part III) of the Land Use Element.

*Staff Response: The standards of Sections 23.07.084 through 23.08.086 do not apply to the project as it involves alterations or additions to the structure, the value of which does not exceed 50% of the assessed value of the structure in any 12-month period.*

##### Section 23.07.104 – Archaeologically Sensitive Areas

The project site is within the Archaeologically Sensitive Area combining designation.

*Staff Response: The site is a developed lot with an existing single family residence and decorative and ornamental landscaping. It is not anticipated that since the lot is developed, construction will unearth archaeological resources; however, the project will be conditioned to minimize and avoid impacts to resources should they be unearthed.*

##### Section 23.07.176 – Terrestrial Habitat Protection

The provisions of this section are intended to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats.

*Staff Response: The proposed project is located within the Monterey pine forest terrestrial habitat combining designation. The proposed project has established a "project limit area" as required by the North Coast Area Plan, to illustrate site disturbance and minimize the area of disturbance and impacts to onsite vegetation. The area of the proposed project consists of existing deck and stair areas, or decorative and ornamental landscaping.*

#### COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A  
Environmentally Sensitive Habitats: ☒ Policy No(s): 1, 2, 29, 30,  
Agriculture: N/A  
Public Works: N/A  
Coastal Watersheds: N/A  
Visual and Scenic Resources: ☒ Policy No(s): 7  
Hazards: N/A  
Archeology: ☒ Policy No(s): 1  
Air Quality: N/A

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

## COASTAL PLAN POLICY DISCUSSION

### ***Sensitive Resource Area***

Policy 1, 2: Environmentally sensitive habitat areas are settings in which plant or animal life (or their habitats) are rare or especially valuable due to their special role in an ecosystem. These policies seek to minimize significant disruption to sensitive habitats and their resources as well as demonstrate there will be no significant impact on sensitive habitats and that proposed development will be consistent with the biological continuance of the habitat.

*Staff Response: The proposed project is within the Monterey pine forest Terrestrial Habitat combining designation. Development will occur on a previously developed site and will not significantly disrupt the sensitive habitat or its resources. Refer to the Terrestrial Habitat and Monterey pine forest habitat standards above as well as the Terrestrial Environment policy discussion below.*

### ***Terrestrial Environment***

Policy 29, 30: Protection of Terrestrial Habitat and Protection of Native Vegetation. These policies emphasize protection on the entire ecological community to include native trees and plant cover.

*Staff Response: The proposed project is within the Monterey pine forest terrestrial habitat. There are no Monterey pines on the property and no native vegetation or trees except the decorative/ornamental landscaping installed by the homeowner will be impacted and removed as a result of development. To minimize impact, and as a requirement of the Cambria Urban Area Standards, a "project limit area" was placed around the extent of development to avoid impacts to potential sensitive species, plants, or trees.*

### ***Visual Resources***

Policy 7: Preservation of Trees and Native Vegetation. The location and design of new development shall minimize the need for tree removal.

*Staff Response: The proposed project complies with this policy. Development will be within the identified "project limit areas" and will not impact any trees onsite. Only decorative/ornamental landscaping will be removed; there is no naturally occurring native vegetation onsite.*

### **Archaeological Resources**

Policy 1: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources.

*Staff Response: The proposed project complies with this policy. The project site is in the Archaeological Sensitive Area combining designation and is previously developed with an existing single family residence. Due to the site being previously developed, it is not anticipated resources will be encountered; however, the project, as conditioned, will be required to stop work and contact the County Planning and Building Department as well as a Native American Representative should any resources be uncovered or discovered during construction.*

### **COMMUNITY ADVISORY GROUP COMMENTS:**

North Coast Advisory Council met on May 21, 2014 and stated that based on observations during the site visit of May 3, 2014 and review of application and drawings, they find the proposed replacement and repair of front entry stairs and slatted entryway deck, with addition of a narrow deck extension along the front of the house, to be an acceptable improvement. They saw no problems associated with the project and recommend approval of the project.

### **AGENCY REVIEW:**

Building Division – "The project is subject to a construction permit as well as the newly adopted 2013 California Codes."

Cambria Community Services District – No response received.

California Coastal Commission – No response received.

### **LEGAL LOT STATUS:**

The parcel is composed of Lots 3 and 4 in Block 19 of Cambria Pines Unit No. 1 according to map recorded June 20, 1928 in Book 3, Page 106 of Maps, and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Megan Martin and reviewed by Steve McMasters